

**CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, DECEMBER 6, 1995  
7:00 P.M.**

1. ROLL CALL

Present: Council Members - Davenport, Pennino, Sieglock, Warner and Mann (Mayor)

Absent: Council Members - None

Also Present: City Manager Flynn, Acting Assistant City Manager/Public Works Director Ronsko, City Engineer Prima, Community Development Director Schroeder, City Attorney Hays and City Clerk Perrin

2. INVOCATION

The invocation was given by Pastor Dave Glass, First Baptist Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mann.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Mann presented the Mayor's Community Service Award to Dennis Cunnington and Elmer Kludt for their many services to the City of Lodi. Their names will be included on the perpetual plaque on display in the Carnegie Forum.  
FILE NO. CC-6
- b) Jackie Flowers, Principal of Tokay High School and Kelly Staley, Principal of Lodi High School; made a presentation regarding the Student Problem Identification Program, or otherwise called the SPIRIT Program, which is a partnership between the schools and the City of Lodi Police Department. The purpose of this program is to create positive race relations among the students. Anyone interested in volunteering or donating money was urged to call Lodi High at 331-7815 and Tokay High School at 331-7991.  
FILE NO. CC-7(e) AND CC-152
- c) Susan Holmquist with California Waste Removal Systems, Inc., and Scott Raul with Guild Cleaners, made a presentation regarding the Coats, Cans and Blankets Collection Program. Citizens were encouraged to put used coats and blankets and canned food next to their recycling carts on their regular collection days next week. This is a joint contribution with Guild Cleaners who will be cleaning the items, which will then be distributed to local agencies. City Hall staff will also conduct an in-house drive, which items will be picked up on December 15, 1995. Last year fifteen 90-gallon carts were collected.  
FILE NO. CC-6
- d) Isaac Baker, Senior Patrol Leader with Boy Scout Troop 224, presented Mayor Mann and the City of Lodi with two traditional Christmas swags. Christmas swags can be bought at Kautz Farms between the hours of 4:00 - 9:00 p.m., and the boys will also be going through the neighborhoods selling swags for \$10.00 each.

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- e) Patti Steward, Chairperson, and John Griffin, Head Coach, with Lodi City Swim Club, presented Mayor Mann with a check in the amount of \$5,000 towards repayment of its \$24,000 loan for the renovation of the Tokay High school pool which increased the size to nine lanes for a more competitive pool. The public was invited to the pool in May and July to attend the tournaments.  
FILE NO. CC-6
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5. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Pennino, Warner second, unanimously approved the following items hereinafter set forth **except those otherwise noted**:

- a) Claims were approved in the amount of \$3,174,976.07.  
FILE NO. CC-21(a)
- b) The Minutes of November 15, 1995 (Regular Meeting), November 16, 1995 (Joint Meeting with Lodi-Woodbridge Winegrape Commission) and November 21, 1995 (Special Meeting) were approved as written.
- c) Approved the plans and specifications for bids for White Slough Water Pollution Control Facility Chain Link Fence and authorized advertising for bids.  
FILE NO. CC-12.1(a)
- d) Approved the specifications for bids for printed envelopes, 1996 requirements, and authorized advertising for bids.  
FILE NO. CC-12.1(c)
- e) Agenda item #E-5 entitled, "Specifications and advertisement for bids for printed utility bills, 1996 requirements" was pulled from the agenda pursuant to staff's request.
- f) Approved the specifications for bids for 116 high pressure sodium luminaires to be installed during Phase 2 of the Eastside Alley Lighting Project and authorized advertising for bids.  
FILE NO. CC-12.1(b)
- g) Agenda item #E-7 entitled, "Contract award and rejection of non-responsive bids for Lodi Lake Park Office Project" was pulled from the agenda pursuant to staff's request.
- h) Agenda item #E-8 entitled, "Acceptance of improvements under refinish and reline two portable basketball floors contract" was pulled from the agenda pursuant to staff's request.
- i) Accepted the improvements under the "Sacramento Street - Street Reconstruction, Park Street to Vine Street" contract, and directed the City Engineer to file a Notice of Completion with the County Recorder's office.  
FILE NO. CC-90
- j) Agenda item #E-10 entitled, "Request approval and funding to provide consultant services for preparation of Risk Management Prevention Program (RMPP) for the White Slough Water Pollution Control Facility" was pulled from the agenda pursuant to staff's request.

- k) Adopted Resolution No. 95-150 receiving the Memorandum of Understanding (MOU) between the City of Lodi and the Maintenance and Operators Unit for the period from July, 1995 through June 30, 1998 including the provision that the MOU's be approved as to form by the City Attorney.  
FILE NO. CC-34 AND CC-300
  - l) Adopted Resolution No. 95-151 receiving the Memorandum of Understanding between the City of Lodi and the United Firefighters of Lodi (UFL) for the period from December 6, 1995 through June 30, 1997 including the provision that the MOU's be approved as to form by the City Attorney.  
FILE NO. CC-34 AND CC-300
  - m) Set Public Hearing for January 3, 1996 to consider the application received from Pargat Singh Gill, 1932 Anderson Drive, Lodi, to operate a taxicab service within the City of Lodi.  
FILE NO. CC-6 AND CC-33
  - n) Set Public Hearing for December 20, 1995 to consider amendment of the Lodi Municipal Code Section 5.12.140 regarding Cardrooms.  
FILE NO. CC-6
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6. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Mann called for the Public Hearing to consider adoption of the following Uniform Codes as approved by the State of California:

Uniform Building Code - 1994  
Uniform Plumbing Code - 1994  
Uniform Mechanical Code - 1994  
Uniform Housing Code - 1994  
Uniform Code of the Abatement of Dangerous Buildings - 1994  
National Electrical Code - 1993

Uniform Fire Code - 1994 (*It was recommended that the Uniform Fire Code Public Hearing be continued until February 21, 1996*)

Hearing Opened to the Public

- 1. Lou Fugazi, 925 Greenwood Drive, Lodi, questioned if a permit was needed to change or install a hot water heater.

Public Portion of Hearing Closed

**ACTION:**

The City Council, on motion of Council Member Sieglock, Warner second took the actions shown on the next page by the following vote:

Ayes: Council Members - Pennino, Sieglock, Warner and Mayor (Mayor)  
Noes: Council Members - Davenport  
Absent: Council Members - None

Continued December 6, 1995

- Introduced Ordinance No. 1621-A entitled, "An Ordinance Adopting the 'Uniform Building Code', Volumes 1, 2 and 3, 1994 Edition, Which Codes Regulate the Design, Construction, Quality of Materials, Use and Occupancy, Location and Maintenance of Buildings or Structures in the City of Lodi, Providing for the Issuance of Permits and Collection of Fees Therefore, Providing Penalties for the Violations Thereof; Repealing Sections 15.04.010, 15.04.020, 15.04.030, 15.04.040, 15.04.050, 15.04.060, 15.04.070, 15.04.080, and 15.04.090 Inclusive of the Code of the City of Lodi, and All Other Ordinances and Parts of Ordinances in Conflict Therewith".
- Introduced Ordinance No. 1621-B entitled, "An Ordinance Adopting the 'Uniform Plumbing Code', 1994 Edition, Providing for the Establishing of Minimum Regulations for the Installation, Alteration or Repair of Plumbing and Drainage Systems and the Inspection Thereof; Providing Penalties for the Violations Thereof; and Repealing Sections 15.12.010 Through 15.12.200 Inclusive of the Code of the City of Lodi, and all Other Ordinances and Parts of Ordinances in Conflict Therewith".
- Introduced Ordinance No. 1621-C entitled, "An Ordinance Adopting the 'Uniform Mechanical Code', 1994 Edition, Which Code Provides Regulations Controlling the Design, Construction, Installation, Quality of Materials, Location, Operation, and Maintenance of Heating, Ventilating, Comfort Cooling, Refrigeration Systems, Incinerators and Other Heat Producing Appliances in the City of Lodi, Providing for the Issuance of Permits and Collection of Fees Therefore; Providing Penalties for the Violations Thereof; and Repealing Sections 15.08.010, 15.08.020, 15.08.030, 15.08.040 and 15.08.050 Inclusive of the Code of the City of Lodi, and All Other Ordinances and Parts of Ordinances in Conflict Therewith".
- Introduced Ordinance No. 1621-D entitled, "An Ordinance Adopting the 'Uniform Housing Code', 1994 Edition, Which Code Provides for the Minimum Requirements for the Protection of Life, Limb, Health, Property, Safety and Welfare of the General Public and the Owners and Occupants of Residential Buildings; Providing Penalties for Violation Thereof; Repealing Sections 15.24.010 Through 15.24.130 Inclusive of the Code of the City of Lodi, and All Other Ordinances and Parts of Ordinances in Conflict Therewith".
- Introduced Ordinance No. 1621-E entitled, "An Ordinance Adopting the 'Uniform Code for the Abatement of Dangerous Buildings', 1994 Edition, Which Code Provides Regulations for the Repair, Vacation, and Demolition of Buildings or Structures Endangering the Life, Limb, Health, Property, Safety and Welfare of the General Public and Their Occupants; Providing Procedures and Penalties for Violation Thereof; Repealing Sections 15.28.010 Through 15.28.170 Inclusive of the Code of the City of Lodi, and All Other Ordinances and Parts of Ordinances in Conflict Therewith".
- Introduced Ordinance No. 1621-F entitled, "An Ordinance Adopting the 'National Electrical Code', 1993 Edition, Which Code Regulates the Installation, Alteration, or Addition of Electrical Wiring, Devices, Appliances, or Equipment in the City of Lodi; and Repealing Sections 15.16.010 Through 15.16.190 of the Codes of the City of Lodi, and All Other Ordinances and Parts of Ordinances in Conflict Therewith".

Further, the Public Hearing to consider adoption of the Uniform Fire Code - 1994 was continued to the meeting of February 21, 1996.

FILE NO. CC-53(a) AND CC-149

## 7. COMMUNICATIONS (CITY CLERK)

a) The following report was presented to the City Council:

1. Planning Commission report of November 13, 1995.  
FILE NO. CC-35(c)

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- b) The City Council, on motion of Council Member Sieglock, Warner second, unanimously directed the City Clerk to post for the following expired terms:

Senior Citizens Commission

Trella Arieda Term to expire December 31, 1995  
Terri Whitmire Term to expire December 31, 1995

Personnel Board of Review

Dr. Peter V. Hetzner Term to expire January 17, 1996

Site Plan and Architectural Review Committee (SPARC)

Janet Robinson Term to expire January 1, 1996

Mosquito Abatement District

Robert S. Fuller Term to expire December 31, 1995

Lodi Arts Commission

Wayne Shrope Term to expire July 1, 1997  
(resignation)

FILE NO. CC-2(e), CC-2(f), CC-2(i), CC-2(k) AND CC-2(l)

- c) The City Council, on motion of Council Member Sieglock, Pennino second, unanimously made the following appointments:

Lodi Parks and Recreation Commission

George A. Kiehn Term to expire December 31, 1996

Lodi Arts Commission

Beth Handel Term to expire July 1, 1996

FILE NO. CC-2(h) AND CC-2(k)

8. REGULAR CALENDAR

- a) The City Council received a report on the alignment of Flag City Boulevard and De Broggi Road.

Speaking on the matter was the following person:

1. Cecil Dillon with Dillon and Murphy Engineering representing the California Youth Soccer Association (CYSA), thanked the City of Lodi for the cooperation given to CYSA. The agencies involved are working together on this matter, and, although an agreement has not been reached as to date, he feels comfortable that the situation will be made to work.

FILE NO. CC-6

9. ORDINANCES

None.

10. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Kelli Neuharth, West Tokay Street, Lodi, spoke on behalf of the Lodi Police Officers' Association regarding the Adopt-A-Child Program. The City Council and the public were invited to the dinner on December 16, 1995, at which time the gifts will be given to the children. Approximately 1,200 - 1,400 people will be fed. Ms. Neuharth thanked Council Members Warner and Pennino for already sponsoring a child in this program. There are approximately 140 children left to be adopted and approximately 300 children on the waiting list. The program needs sponsors and cash donations.

11. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- a) Council Member Davenport thanked everyone for coming to the meeting and commented on the following matters: (1) Reminded everyone to be ever mindful of the gangs which is still a problem in the City of Lodi; (2) Discussed the Information Superhighway at the Shirtsleeve Session on December 5, 1995. Plans are to have a Home Page for the City on the Internet to provide information to the community. The Lodi News Sentinel was there and indicated that newspapers in the future may be on the internet, due to increasing newspaper costs. Mr. Davenport feels that the News Sentinel prints most of the public notices, and they should not have a monopoly; (3) Reported that MOUs have been finalized with the San Joaquin Public Employees Association (SJPEA) and with the United Firefighters of Lodi (UFL) which are both available for public review. Currently all units have an MOU. Mr. Davenport was also happy to report that there are no pending grievances in the Fire Department, and urged that if anyone has a grievance, they should go through the correct process. Further, Mr. Davenport expressed that he has some concerns in the MOUs, especially with take-backs, where the City takes back benefits previously given to the employees; (4) Expressed his hope that the City not go with a sole bidder on the alarm/security fence around White Slough, and that local companies be allowed to bid; (5) Commented that the street lighting around town done in Phase One is completed and the lights for Phase Two were approved at this meeting and will be put up soon; (6) Suggested that Council take a fresh look at the Ranger station at Lodi Lake, because \$100,000 for an 8 square foot modular building is too much; (7) Received a letter from Stone Brothers regarding truck parking which Public Works will look into; (8) Received a letter asking when the bus stop shelters will be installed. Public Works Director Ronsko informed the Council that the shelters will be here in three weeks. There is an eight week delivery time, and the company provided installation details to staff so it could install the shelters without delay; (9) Questioned the problem with warranties on the buses for the GrapeLine. The City Council was informed that the City Attorney is working on the matter which will be resolved shortly; (10) Received letter regarding concern over the garbage trucks leaking from the yard and garden pickup. Hopefully this matter will be resolved; (11) Expressed his opinion that the City not place private advertising in the City's utility bills. Mr. Davenport does not agree with the flier that was included in the electric bill promoting California Waste; (12) Commented on the decorations downtown and the reason that it was discontinued in the past. City Manager Flynn and staff helped decorate downtown for the Christmas season. The Christmas fire truck will be out in Lodi neighborhoods from December 6 - 21, 1995 and will start each night by going downtown. FILE NO. CC-6. CC-34 AND CC-50(b)

- b) Council Member Pennino reported on the November 16, 1995 joint meeting with the Lodi-Woodbridge Winegrape Commission. One of the issues discussed was tourism. He would like to see the Council, City Manager and members of the Chamber of Commerce meet again with a couple of the board members to discuss promoting the winegrape industry in the Lodi area.  
FILE NO. CC-7(a)
- c) Council Member Warner commented that the recent wine tasting function downtown was a successful event and encouraged the public to shop in downtown Lodi because the tax dollars benefit Lodi. Mr. Warner also informed the public of the "Santa's Calling" Program, where Santa or his helper calls youngsters for Christmas. Anyone interested was urged to call the Parks and Recreation Department by December 15, 1995.
- d) Council Member Sieglock also commented on the joint meeting with the Winegrape Commission. Mr. Sieglock learned two things from the Commission: they like the billboards on Highway 99 and they are very supportive of the downtown revitalization, because their investing money in Lodi hinges on its success.  
FILE NO. CC7(a), CC-72 AND CC-400
- e) City Manager Flynn thanked and congratulated the members of the UFL and SJPEA who worked very hard with negotiators to come to an agreement. This is a significant step to building bridges between the groups. Mr. Flynn also thanked Human Resources Director Narloch who spent many hours working with the various units. Further, City Manager Flynn thanked the staff who participated on Monday with decorating downtown Lodi for Christmas. The leaders in organizing this project were Community Center Director Charlene Lange and Secretary to the City Manager Barbara Reed.

## 12. REORGANIZATION OF THE LODI CITY COUNCIL

- a) Mayor Mann, in his closing comments as Mayor, indicated it was an honor to serve as Lodi's Mayor and thanked the Lord in getting him through the rough days. Mayor Mann thanked his fellow City Council Members for their support and the City employees for building and maintaining the premier City in which we live. Mayor Mann further thanked and recognized City Manager Dixon Flynn, former City Manager Thomas Peterson, former City Attorney Bob McNatt, City Clerk Jennifer Perrin, and the staff in Administration, Barbara Reed, Jacqueline Taylor, Linda Nichols and Peggy Nicolini. Mayor Mann thanked the people of Lodi in allowing him to serve in this capacity and thanked his family for supporting him during the long hours and hard work this past year.
- b) City Clerk Perrin presented outgoing Mayor Mann with a plaque thanking him for his untiring dedication during his year as Mayor of the City of Lodi, and further, presented him with his picture which will now hang on the Wall of Mayors.
- c) City Clerk Perrin conducted the election for the office of Mayor. Council Member Pennino, Sieglock second, nominated Council Member Warner for the office of Mayor which passed by the following vote:

Ayes: Council Members - Davenport, Mann, Pennino, Sieglock and Warner  
 Noes: Council Members - None  
 Absent: Council Members - None

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- d) Mayor Warner then conducted the election for the office of Mayor Pro Tempore. Council Member Sieglock, Mann second, nominated Council Member Pennino for the office of Mayor Pro Tempore which passed by the following vote:

Ayes: Council Members - Davenport, Mann, Pennino, Sieglock and Warner (Mayor)

Noes: Council Members - None

Absent: Council Members - None

- e) Newly-elected Mayor Warner thanked his family for being here this evening. It is an honor to serve as Lodi's Mayor, and he will try to hold the tradition of the people who came before him.

FILE NO. CC-6 AND CC-18

13. ADJOURNMENT

There being no further business to come before the City Council, Mayor Mann adjourned the meeting at approximately 8:31 p.m.

ATTEST:

  
Jennifer M. Perrin  
City Clerk